

July 17, 2019

Honorable Ajit Pai  
Chairman, Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: Notice of Proposed Rulemaking to establish an overall cap on the Universal Service Fund and a sub-cap on the E-Rate and Rural Health Care programs.

Dear Chairman Pai;

The New York State School Boards Association (NYSSBA) opposes proposed changes to the Universal Service Fund (USF) and underlying E-rate program and urges it be removed from consideration by the Federal Communications Commission (FCC).

Placing an overall cap on the USF, which would lead to competition among the four USF programs, is contrary to the intent of Congress. The legislative goal was to provide four distinct programs, each with specific funding, not one funding pool where the four programs had to fight for funding if an overall cap was reached. The U.S. House of Representatives expressed their strong opposition to this effort through the recent unanimous passage of House Amendment 483 to H.R. 3351, the FY2020 Financial Services and General Government Appropriations Act, which prohibits the FCC from implementing this rule.

Currently, each of the four programs, including E-Rate, has a cap in place to ensure funds are being utilized in an efficient manner. Providing an overall cap would only complicate coordination of the programs. If an overall cap is enacted, the funding available for each of the four individual programs will be uncertain each year. This uncertainty would then translate to the budgets of school districts that rely on E-rate to serve their students.

E-Rate has made a tremendous difference for students by helping provide broadband in schools or libraries where it might otherwise not be available. However, rural areas continue to lag behind other areas in connectivity and there are still enormous broadband gaps when students are out of school. The work to level this playing field for all students must continue. To ensure that access continues to be expanded, it is critical that the E-rate and associated programs continue.

For these reasons, NYSSBA urges a rejection of the proposed changes to the USF and underlying E-rate program. If you require additional information, please do not hesitate to contact me at (518) 783-0200.

Sincerely,



Timothy G. Kremer  
Executive Director

Cc: Honorable Brendan Carr, Commissioner  
Honorable Michael O'Reilly, Commissioner  
Honorable Jessica Rosenworcel, Commissioner  
Honorable Geoffrey Starks, Commissioner  
Senator Charles E. Schumer  
Senator Kirsten Gillibrand  
NYS Congressional Delegation  
Assemblymember Nily Rosic